



JUDITH L. CORLEY
(202) 434-1622

April 27, 2004

607 Fourteenth Street N.W.
Washington, D.C. 20005-2011
PHONE: 202.628.6600
FAX: 202.434.1690
www.perkinscoie.com

BY FACSIMILE (AND REGULAR MAIL)

Jeff S. Jordan
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5427 – Sustainable World Corporation

Dear Mr. Jordan:

We represent the Sustainable World Corporation ("The Corporation"). This is in response to the complaint filed by the Bush-Cheney '04 campaign against The Media Fund. The complaint is without merit with respect to The Corporation and should be dismissed.

The Corporation is named in the complaint solely because of a donation it made to a joint fundraising committee called Joint Victory Campaign that subsequently distributed certain funds to The Media Fund. The complaint alleges that (a) The Media Fund should be considered a federal political committee that is operating unlawfully and (b) The Corporation and all the other donors to the Joint Victory Campaign may have violated federal election laws if they "knowingly and willfully contributed illegal soft money for the purpose of influencing a federal election" – *i.e.*, they knew their donations would be sent to organizations that were not operating lawfully and they knew that such organizations would use these funds unlawfully.

The complaint fails on several levels. The complaint provides no basis to find that The Media Fund should be treated as a federal political committee or was otherwise operating unlawfully. We understand that the Federal Election Commission ("FEC") is in the process of drafting regulations to address whether organizations such as The Media Fund should be considered political committees. Given the present uncertainty, the complaint's allegation that The Media Fund is operating in violation of FEC regulations is absurd. Current FEC regulations provide clearly that an entity that is not registered with the FEC, like The Media Fund, may participate in a joint fundraising committee. 11 C.F.R. § 102.17(a)(1)(i). The regulations further provide

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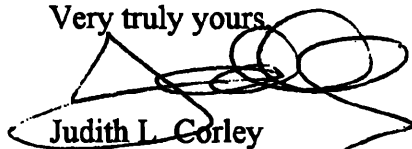
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that a fundraising representative (such as the Joint Victory Campaign) may distribute funds that are "not lawful" under federal election law (such as funds from a corporation) to those entities that may lawfully accept them (such as The Media Fund). 11 C.F.R. §§ 102.17(c)(4)(ii), 102.17(c)(6)(iii). (We understand that The Media Fund will respond in more detail on these issues, and thus we incorporate The Media Fund's response here.)

Even if The Media Fund were to be deemed a federal political committee (which it should not be), the complaint provides no basis to assert that The Corporation donated funds to the Joint Victory Campaign with the knowledge that its contribution would be used for anything other than lawful purposes. Indeed, The Corporation believed that its donation to the Joint Victory Campaign was entirely consistent with the FEC's regulations. At the time of its donation, The Corporation believed The Media Fund (which was one of the recipients of The Corporation's donation) was operating in accordance with the campaign finance laws and that The Corporation's donation would be used in a lawful manner.

There is no basis to allege that the donation by The Corporation violated the federal campaign laws. The Commission should take no further action with respect to the Corporation and should dismiss the Bush-Cheney '04 campaign's complaint. The Corporation respectfully requests that the complaint be dismissed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Judith L. Corley", is written over a horizontal line.

Judith L. Corley

Counsel to Sustainable World Corporation

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